IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.17797 of 2008
JAYCHAND PASWAN
Versus
STATE OF BIHAR
With
Cr.Misc. No.18330 of 2008
NAGESHWAR PASWAN
Versus
THE STATE OF BIHAR
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3/ 1.7.2008 Since both the applications arise out of one and the same P.S.Case, they have been heard together and are being disposed of by this common order.

The present case has been registered for offence under Section 395 of the Indian Penal Code on the statement of Sujit Kumar.

For the occurrence of 29.2.2008, the matter was reported to police on the next date and it has been submitted that the delay has not been explained. The witnesses are not the witness of the occurrence rather they came to know about the occurrence later on . So they are hear-say witnesses. Further submission is that by filing a petition one witness Rajesh Kumar has stated that he had not identified the criminals at the time of occurrence because they had covered their faces. The petitioners have fair antecedent. Only one petitioner is an accused in a case for offence under Section 307 of the Indian Penal Code and no other case is pending against either of the petitioners.

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Considering the facts and circumstances of the case, let petitioners namely, Jaychand Paswan (Cr.Misc.No. 17797 of 2008) and Nageshwar Paswan (Cr.Misc.No. 18330 of 2008), be released on bail on their furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount

each to the satisfaction of Chief Judicial Magistrate, Nalanda at Biharsharif in Rahui (Wena) P.S.Case No. 32 of 2008 (G.R.No. 402 of 2008).

Tahir/- **( Shyam Kishore Sharma, J.)**

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